

PROB 12C
(7/9)

Report Date: November 18, 2011

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

Eastern District of Washington

NOV 18 2011

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Robert Joseph Brown

Case Number: 2:08CR02045-001 **JPH**

Address of Offender: [REDACTED] Yakima, WA [REDACTED]

Name of Sentencing Judicial Officer: The Honorable James P. Hutton, U.S. Magistrate Judge

Date of Original Sentence: 5/14/2009

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 21 Months; TSR - 36 Months
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 6/28/2011

Defense Attorney: Diane E. Hehir

Date Supervision Expires: 8/27/2013

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Robert Brown failed to report to the U.S. Probation Office on November 15, 2011.

On November 14, 2011, a message was left with the defendant's roommate at the Milestone Foundation clean and sober house for him to report or contact the undersigned officer by November 15, 2011. The same message was also left with his father. On November 16, 2011, contact with the defendant's father revealed he had spoken with the defendant on November 14, 2011, and he gave him this officer's message to report by November 15, 2011. To date the defendant has failed to report and his whereabouts are unknown.

- 2 **Standard Condition #6:** The defendant shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Robert Brown changed his residence on November 15, 2011, and failed to notify his supervising probation officer.

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On November 16, 2011, the undersigned officer spoke with the Milestone Foundation house manager who related the defendant had left the residence on November 15, 2011, and had not returned. Contact with the house manager on November 18, 2011, revealed Mr. Brown had not yet returned and as such was being evicted immediately.

- 3 **Special Condition #17:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Robert Brown failed to attend treatment sessions at Merit Resource Services (Merit) on November 9, 14, and 17, 2011.

- 4 **Special Condition #18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Robert Brown failed to report to Merit for urinalysis testing on November 15, and 17, 2011.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 18, 2011

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other


Signature of Judicial Officer

11/18/2011
Date